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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,895	07/07/2000	Paul Szucs	450117- 02741	8156

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EXAMINER

PATEL, NITIN C

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 04/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/611,895

Applicant(s)

SZUCS ET AL.

Examiner

Nitin C. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 16 are presented for the examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 16 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sano et al., US Patent 6,445,872 B1.

4. As to claim 1, Sano et al., teach an apparatus and method for recording and reproducing digital broadcast compression-coded data of video signals of multiplicity of channels comprising steps of:

- a. receiving [21, input of a digital broadcast recording and reproducing apparatus] at least a first transport stream (TS1, TS2, ... TSn) of data (D1, D2, ... Dn) to be recorded/stored [21, fig. 4];
- b. dividing each of the transport streams (TS1, TS2, ... TSn) into series of packets (P1, P2, ... Pn) [transport stream packets] with respect to a predefined clock and/or to the temporal relationships [data rate of channel] of the transport streams [number of channels][col. 7, lines 24 – 62];

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- c. assigning to each of the transport streams (TS1, TS2, ...TSn)/series of packets (P1, P2,...Pn) a recording headers (H1, H2,...Hn) [22a, 22b, 22c,...each tuner sections receive broadcast of different frequencies];
 - d. generating a series of partial transport streams (pt1TS1, pt1TS2,...) from at least said series of recording headers (H1, H2,...Hn) and said series of packets (P1, P2,...Pn) [41a, 41b, 41c,...generated data strings of the recording channel selection sections given as input to the composition section]; and
 - e. recording/storing [24, recording and reproducing section] a combined transport (CTS) [51, data string composition section] as a time series of the partial transport streams (pt1TS1, pt1TS2..) based on the clock [composition section composites data into time series of data strings and outputs them to the recording and reproducing section] [col. 10, lines 10 – 59, fig. 3, and 4].
5. As to claim 2, Sano et al. disclose the MPEG2 decoder [25, fig.4] for the output to the image receiving device [30] therefore, Sano et al., teach the digital bus and in particular of an i.link/IEEE1394-based network bus and interface too.
6. As to claims 3, and 4, Sano et al. disclose a bus cycle as a clock cycle of constant frequency is used [data rate per channel is fixed] for dividing and transport streams [col. 7, lines 24 – 30].
7. As to claim 5, Sano et al. disclose that each of the each of the partial transport stream is generated with a head cycle start indicating section (CSI) [indication signal at start of recording of each channel] for indicating the beginning of a new clock cycle start and therefore the beginning of a new recorded/stored partial transport stream [col.9, lines 55 – 66].

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8. As to claims 6, and 7, Sano et al. disclose the data string multiplexing means for multiplexing a plurality of pairs of data strings output from the recording channel selection section means into one data string [col. 3, lines 41 – 47].

9. As to claim 8, Sano et al. disclose that each packet of each of the series of packets is paired and/or concatenated each time with respective recording header within each partial transport stream in particular with recording headers preceding the respective packet [col. 8, lines 10 – 24].

10. As to claim 16, Sano et al. teach recording and reproducing apparatus for digital broadcast of multiplicity of channels therefore, Sano et al. teach the to store transport stream in buffer storage means in advance of and/or during generating the partial transport streams too.

11. As to claims 10, and 11, Sano et al. disclose the MPEG-2 format digital broadcast, which has inherently video and/or audio data in compressed format.

12. As to claim 12, Sano et al. disclose the storage of partial transport streams to a physical storage media device such as a magnetic tape device, optical, magnetic, magneto-optical disc devices or the like [abstract].

13. As to claims 13, 14, and 15, Sano disclose the calculation for the number of transport streams recording with respect to the scanning speed of rotary head and the patterns of recording [col. 7, lines 24 – 67, col. 8, lines 1 – 52].

14. As to claim 16, Sano et al. teach recording and reproducing apparatus for digital broadcast of multiplicity of channels therefore, Sano et al. teach the playback mode and method for entering playback mode too.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 703-305-3994. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nitin C. Patel
April 8, 2003



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100